
By: **Prince George's County Delegation**

Introduced and read first time: February 5, 2003

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Charitable Gaming Events - Authorized**
3 **PG 310-03**

4 FOR the purpose of repealing a prohibition against conducting casino nights in Prince
5 George's County; requiring the Prince George's County Department of
6 Environmental Resources to issue permits for charitable gaming events in the
7 county to certain applicants; specifying the eligibility requirements for permit
8 applicants; requiring the Prince George's County Department of Environmental
9 Resources to issue charitable gaming permits under certain terms and
10 conditions; authorizing the Prince George's County Council to levy a certain tax
11 not exceeding a certain amount; prohibiting a person from receiving
12 compensation from the gross proceeds of a charitable gaming event; authorizing
13 a sponsor of a charitable gaming event to pool tips and gratuities under certain
14 circumstances; making certain distributions subject to certain tax withholding;
15 defining a certain term; and generally relating to charitable gaming events in
16 Prince George's County.

17 BY repealing
18 Article - Criminal Law
19 Section 13-1912
20 Annotated Code of Maryland
21 (2002 Volume)

22 BY adding to
23 Article - Criminal Law
24 Section 13-1912
25 Annotated Code of Maryland
26 (2002 Volume)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
28 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Criminal Law**

2 [13-1912.

3 (a) In this section:

4 (1) "casino night" means a benefit performance at which:

5 (i) a card game, wheel of chance, or roulette is played; and

6 (ii) money winnings or tokens redeemable in money are awarded as
7 prizes; but8 (2) "casino night" does not include a benefit performance at which the
9 only form of gaming is a wheel of fortune, big wheel, or other wheel of chance.10 (b) (1) This subtitle and Subtitle 2 of this title do not authorize casino nights
11 in the county.

12 (2) A person may not conduct a casino night in the county.

13 (c) A person who violates this section or a county ordinance enacted under this
14 section is guilty of a misdemeanor and on conviction is subject to imprisonment not
15 exceeding 3 years or a fine not exceeding \$5,000 or both.]

16 13-1912.

17 (A) IN THIS SECTION, "CHARITABLE GAMING EVENT" MEANS A BENEFIT
18 PERFORMANCE AT WHICH:

19 (1) A CARD GAME, WHEEL OF CHANCE, OR ROULETTE IS PLAYED; AND

20 (2) MONEY OR TOKENS REDEEMABLE IN MONEY ARE AWARDED IN
21 PRIZES.22 (B) (1) THE PRINCE GEORGE'S COUNTY DEPARTMENT OF ENVIRONMENTAL
23 RESOURCES SHALL ISSUE A PERMIT FOR A CHARITABLE GAMING EVENT TO AN
24 APPLICANT THAT MEETS THE REQUIREMENTS UNDER THIS SECTION.25 (2) TO BE ELIGIBLE FOR A PERMIT FOR A CHARITABLE GAMING EVENT,
26 AN APPLICANT SHALL:27 (I) BE A GROUP OF CITIZENS OF PRINCE GEORGE'S COUNTY OR A
28 COMPANY, ASSOCIATION, OR CORPORATION, OR BONA FIDE ORGANIZATION IN
29 PRINCE GEORGE'S COUNTY THAT PROMOTES THE PURPOSES OF A VOLUNTEER FIRE
30 DEPARTMENT OR A CHARITABLE, BENEVOLENT, PATRIOTIC, FRATERNAL,
31 EDUCATIONAL, RELIGIOUS, OR CIVIC OBJECT; AND32 (II) HAVE BEEN LOCATED AND ACTIVE FOR AT LEAST 2 YEARS IN
33 PRINCE GEORGE'S COUNTY BEFORE THE DATE OF THE APPLICATION.

1 (3) AN APPLICANT MAY NOT BE ORGANIZED FOR THE PRIVATE PROFIT
2 OR GAIN OF ANY OF ITS MEMBERS.

3 (C) A PERMIT UNDER THIS SECTION SHALL BE ISSUED UNDER THE SAME
4 TERMS AND CONDITIONS AS THOSE FOR A GAMING PERMIT AUTHORIZED UNDER
5 SUBTITLE 5 OF THE PRINCE GEORGE'S COUNTY CODE.

6 (D) THE PRINCE GEORGE'S COUNTY COUNCIL MAY LEVY A TAX NOT
7 EXCEEDING 10% ON THE NET PROCEEDS OF CHARITABLE GAMING EVENTS.

8 (E) A PERSON MAY NOT RECEIVE COMPENSATION FROM THE GROSS
9 PROCEEDS OF A CHARITABLE GAMING EVENT.

10 (F) (1) A SPONSOR OF A CHARITABLE GAMING EVENT MAY POOL TIPS AND
11 GRATUITIES FROM PATRONS AND DISTRIBUTE THE PROCEEDS TO WORKERS AT THE
12 CHARITABLE GAMING EVENT IF THE SPONSOR REPORTS THE DISTRIBUTION TO THE
13 DEPARTMENT OF ENVIRONMENTAL RESOURCES.

14 (2) A SPONSOR OF A CHARITABLE GAMING EVENT SHALL WITHHOLD
15 INCOME TAX FROM ANY DISTRIBUTION UNDER THIS SUBSECTION.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 June 1, 2003.